

**EXHIBIT 2**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

|                         |   |                    |
|-------------------------|---|--------------------|
| JENNIFER VIRDEN, et al. | § |                    |
|                         | § |                    |
| Plaintiffs,             | § | Civil Action       |
| v.                      | § |                    |
|                         | § | No. 1:21-cv-271-RP |
| CITY OF AUSTIN, TEX.,   | § |                    |
|                         | § |                    |
| Defendant.              | § |                    |

**PLAINTIFFS' FIRST AMENDED INITIAL DISCLOSURES**

Plaintiffs Jennifer Virden and William H. Clark provide the following initial disclosures, pursuant to Federal Rule of Civil Procedure 26(a)(1).

**A. The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless solely for impeachment:**

Jennifer Virden, Plaintiff  
c/o Jerad Najvar  
NAJVAR LAW FIRM PLLC  
2180 North Loop West, Ste. 255  
Houston, TX 77018

Knowledge of her intent and her activities, as relevant to the claims and defenses at issue.

John Fisher  
8210 Bent Tree Rd, #222  
Austin, TX 78759  
Submitted verification of intent to contribute dated 3/31/21.

William H. Clark  
28122 E. Benders Landing  
Spring, TX 77386  
Submitted verification of intent to contribute dated 3/30/21.

Cody B. Penna  
13604 Caldwell Dr. #7  
Austin, TX 78750  
Submitted verification of intent to contribute dated 4/1/21

Robert Davis  
459 Bella Vista Circle  
Kyle, TX 78640  
Submitted verification of intent to contribute dated 4/1/21

Richard Wempe  
3605 Malone Dr.  
Austin, TX 78749  
Submitted verification of intent to contribute dated 4/1/21

Gean Oliphint  
8503 Appalachian Dr.  
Austin, TX 78759  
Submitted verification of intent to contribute dated 4/9/21

Kevin T. Dunlevy  
8503 Appalachian Dr.  
Austin, TX 78759  
Submitted verification of intent to contribute dated 4/9/21

William Hertel  
Austin, TX  
Submitted verification of intent to contribute dated 4/1/21

Linda Durnin  
8103 West Court  
Austin, TX 78759  
Submitted verification of intent to contribute dated 4/8/21

Susan K. Friedrich  
10504 Painted Valley Cr.  
Austin, TX 78759  
Submitted verification of intent to contribute dated 4/9/21

***B. A copy of or description by category and location of all documents, data compilations, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless solely for impeachment:***

1. Jennifer Virden's treasurer appointment forms and campaign finance reports.
2. Relevant portions of Austin charter and code of ordinances.
3. Copies of Virden's campaign advertisements related to the May 1, 2021 charter amendment election, as discussed in ECF No. 13-1.

***C. A computation of any category of damages claimed by the defendant, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:***

Viriden anticipates filing an amended complaint which might remove the claim for compensatory damages. If the claim for compensatory damages is not removed, she will amend this response to provide the relevant computation.

FIRST AMENDED RESPONSE:

Plaintiffs Viriden and Clark seek no compensatory damages other than nominal damages.

***D. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy part or all of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment:***

None.

Respectfully submitted,

/s/ Jerad Najvar  
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281.582.4138 fax  
Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on October 3, 2022, the foregoing document, and any accompanying exhibits and proposed order, was served by email upon all counsel of record.

/s/ Jerad Najvar  
Jerad Najvar